

1 AN ACT concerning nurses.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Nursing and Advanced Practice Nursing Act
5 is amended by changing Section 10-30 as follows:

6 (225 ILCS 65/10-30)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10-30. Qualifications for licensure.

9 (a) Each applicant who successfully meets the
10 requirements of this Section shall be entitled to licensure
11 as a Registered Nurse or Licensed Practical Nurse, whichever
12 is applicable.

13 (b) An applicant for licensure by examination to
14 practice as a registered nurse or licensed practical nurse
15 shall:

16 (1) submit a completed written application, on
17 forms provided by the Department and fees as established
18 by the Department;

19 (2) for registered nurse licensure, have graduated
20 from a professional nursing education program approved by
21 the Department;

22 (2.5) for licensed practical nurse licensure, have
23 graduate from a practical nursing education program
24 approved by the Department;

25 (3) have not violated the provisions of Section
26 10-45 of this Act. The Department may take into
27 consideration any felony conviction of the applicant, but
28 such a conviction shall not operate as an absolute bar to
29 licensure;

30 (4) meet all other requirements as established by
31 rule;

1 (5) pay, either to the Department or its designated
2 testing service, a fee covering the cost of providing the
3 examination. Failure to appear for the examination on the
4 scheduled date at the time and place specified after the
5 applicant's application for examination has been received
6 and acknowledged by the Department or the designated
7 testing service shall result in the forfeiture of the
8 examination fee.

9 If an applicant neglects, fails, or refuses to take an
10 examination or fails to pass an examination for a license
11 under this Act within 3 years after filing the application,
12 the application shall be denied. However, the applicant may
13 make a new application accompanied by the required fee and
14 provide evidence of meeting the requirements in force at the
15 time of the new application.

16 An applicant may take and successfully complete a
17 Department-approved examination in another jurisdiction.
18 However, an applicant who has never been licensed previously
19 in any jurisdiction that utilizes a Department-approved
20 examination and who has taken and failed to pass the
21 examination within 3 years after filing the application must
22 submit proof of successful completion of a
23 Department-authorized nursing education program or
24 recompletion of an approved registered nursing program or
25 licensed practical nursing program, as appropriate, prior to
26 re-application.

27 An applicant shall have one year from the date of
28 notification of successful completion of the examination to
29 apply to the Department for a license. If an applicant fails
30 to apply within one year, the applicant shall be required to
31 again take and pass the examination unless licensed in
32 another jurisdiction of the United States within one year of
33 passing the examination.

34 (c) An applicant for licensure by endorsement who is a

1 registered professional nurse or a licensed practical nurse
2 licensed by examination under the laws of another state or
3 territory of the United States or a foreign country,
4 jurisdiction, territory, or province shall:

5 (1) submit a completed written application, on
6 forms supplied by the Department, and fees as established
7 by the Department;

8 (2) for registered nurse licensure, have graduated
9 from a professional nursing education program approved by
10 the Department;

11 (2.5) for licensed practical nurse licensure, have
12 graduated from a practical nursing education program
13 approved by the Department;

14 (3) submit verification of licensure status
15 directly from the United States jurisdiction of
16 licensure, if applicable, as defined by rule;

17 (4) have passed the examination authorized by the
18 Department;

19 (5) meet all other requirements as established by
20 rule.

21 (c-5) An applicant for licensure by endorsement who is a
22 registered professional nurse or a licensed practical nurse
23 under the laws of another state or territory of the United
24 States, in lieu of taking and passing the examination
25 provided for in item (4) of subsection (c) of this Section,
26 may have passed a state, regional, or national examination
27 that is substantially equivalent to or more stringent than
28 the examination given by the Department, if the applicant has
29 actively practiced nursing in another state or territory of
30 the United States for 2 of the preceding 3 years without
31 having his or her license acted against by the licensing
32 authority of any jurisdiction.

33 (d) All applicants for registered nurse licensure
34 pursuant to item (2) of subsection (b) and item (2) of

1 subsection (c) of this Section who are graduates of nursing
2 educational programs in a country other than the United
3 States or its territories must submit to the Department
4 certification of successful completion of the Commission of
5 Graduates of Foreign Nursing Schools (CGFNS) examination. An
6 applicant who is unable to provide appropriate documentation
7 to satisfy CGFNS of her or his educational qualifications for
8 the CGFNS examination shall be required to pass an
9 examination to test competency in the English language, which
10 shall be prescribed by the Department, if the applicant is
11 determined by the Board to be educationally prepared in
12 nursing. The Board shall make appropriate inquiry into the
13 reasons for any adverse determination by CGFNS before making
14 its own decision.

15 An applicant licensed in another state or territory who
16 is applying for licensure and has received her or his
17 education in a country other than the United States or its
18 territories shall be exempt from the completion of the
19 Commission of Graduates of Foreign Nursing Schools (CGFNS)
20 examination if the applicant meets all of the following
21 requirements:

22 (1) successful passage of the licensure examination
23 authorized by the Department;

24 (2) holds an active, unencumbered license in
25 another state; and

26 (3) has been actively practicing for a minimum of 2
27 years in another state.

28 (e) (Blank).

29 (f) Pending the issuance of a license under subsection
30 (c) of this Section, the Department may grant an applicant a
31 temporary license to practice nursing as a registered nurse
32 or as a licensed practical nurse if the Department is
33 satisfied that the applicant holds an active, unencumbered
34 license in good standing in another jurisdiction. If the

1 applicant holds more than one current active license, or one
2 or more active temporary licenses from other jurisdictions,
3 the Department shall not issue a temporary license until it
4 is satisfied that each current active license held by the
5 applicant is unencumbered. The temporary license, which
6 shall be issued no later than 14 working days following
7 receipt by the Department of an application for the temporary
8 license, shall be granted upon the submission of the
9 following to the Department:

10 (1) a signed and completed application for
11 licensure under subsection (a) of this Section as a
12 registered nurse or a licensed practical nurse;

13 (2) proof of a current, active license in at least
14 one other jurisdiction and proof that each current active
15 license or temporary license held by the applicant within
16 the last 5 years is unencumbered;

17 (3) a signed and completed application for a
18 temporary license; and

19 (4) the required temporary license fee.

20 (g) The Department may refuse to issue an applicant a
21 temporary license authorized pursuant to this Section if,
22 within 14 working days following its receipt of an
23 application for a temporary license, the Department
24 determines that:

25 (1) the applicant has been convicted of a crime
26 under the laws of a jurisdiction of the United States:
27 (i) which is a felony; or (ii) which is a misdemeanor
28 directly related to the practice of the profession,
29 within the last 5 years;

30 (2) within the last 5 years the applicant has had a
31 license or permit related to the practice of nursing
32 revoked, suspended, or placed on probation by another
33 jurisdiction, if at least one of the grounds for
34 revoking, suspending, or placing on probation is the same

1 or substantially equivalent to grounds in Illinois; or

2 (3) it intends to deny licensure by endorsement.

3 For purposes of this Section, an "unencumbered license"
4 means a license against which no disciplinary action has been
5 taken or is pending and for which all fees and charges are
6 paid and current.

7 (h) The Department may revoke a temporary license issued
8 pursuant to this Section if:

9 (1) it determines that the applicant has been
10 convicted of a crime under the law of any jurisdiction of
11 the United States that is (i) a felony or (ii) a
12 misdemeanor directly related to the practice of the
13 profession, within the last 5 years;

14 (2) it determines that within the last 5 years the
15 applicant has had a license or permit related to the
16 practice of nursing revoked, suspended, or placed on
17 probation by another jurisdiction, if at least one of the
18 grounds for revoking, suspending, or placing on probation
19 is the same or substantially equivalent to grounds in
20 Illinois; or

21 (3) it determines that it intends to deny licensure
22 by endorsement.

23 A temporary license shall expire 6 months from the date
24 of issuance. Further renewal may be granted by the
25 Department in hardship cases, as defined by rule and upon
26 approval of the Director. However, a temporary license shall
27 automatically expire upon issuance of the Illinois license or
28 upon notification that the Department intends to deny
29 licensure, whichever occurs first.

30 (i) Applicants have 3 years from the date of application
31 to complete the application process. If the process has not
32 been completed within 3 years from the date of application,
33 the application shall be denied, the fee forfeited, and the
34 applicant must reapply and meet the requirements in effect at

1 the time of reapplication.

2 (Source: P.A. 92-39, eff. 6-29-01; 92-744, eff. 7-25-02.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.